



## 2026 South Dakota Legislature

# Senate Bill 80

Introduced by: **Senator Vilhauer**

1 **An Act to prohibit the sale of delta-9 tetrahydrocannabinol products to individuals**  
 2 **under the age of twenty-one.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That § 34-20B-117 be AMENDED:**

5 **34-20B-117.** The following actions are unlawful:

- 6 (1) To knowingly sell or distribute a product intended for human consumption  
 7 containing delta-8 tetrahydrocannabinol, delta-9 tetrahydrocannabinol, THC-O  
 8 acetate, or hexahydrocannabinol to a person under the age of twenty-one;
- 9 (2) The purchase or attempt to purchase, the receipt or attempt to receive, the  
 10 possession, or the consumption of, a product intended for human consumption  
 11 containing delta-8 tetrahydrocannabinol, delta-9 tetrahydrocannabinol, THC-O  
 12 acetate, or hexahydrocannabinol to a person under the age of twenty-one; and
- 13 (3) To purchase a product intended for human consumption containing delta-8  
 14 tetrahydrocannabinol, delta-9 tetrahydrocannabinol, THC-O acetate, or  
 15 hexahydrocannabinol on behalf of, or to give a product intended for human  
 16 consumption containing delta-8 tetrahydrocannabinol, delta-9  
 17 tetrahydrocannabinol, THC-O acetate, or hexahydrocannabinol to, any person  
 18 under the age of twenty-one, unless the purchaser is a parent or guardian of the  
 19 person under the age of twenty-one.

20 A violation of this section is a Class 2 misdemeanor.